10-AUG-2006 12:01

FROM-Riches McKenzie & Herbert LLP

+416-961-5081

T-899 P.001/003 F-277

KICHES, MCKENZIE & HERBERT LLP

BARRISTERS & SOLICITORS *
PATENT & TRADE MARK AGENTS
PAUL HERBERT, R.PH., B.SC., PHM., LL.B.*
BRANT LATHAM, B.A.SC. (CHEM.ENG.), LL.B., P.ENG.*
DAN HITCHCOCK, B.ENG., LL.B., P.ENG.* GARY M. TRAVIS, B.SC. (GEOL.), LL.B.*
JEFF PERVANAS, B.A.SC. (ENG.SCI.), LL.B.* JASON LEUNG, B.SC. (GENETICS), J.D.*
CHRISTOPHER B. WATSON, B.A.SC. (CIVIL ENG.), LL.B.* MICHAEL ADAMS, B.ENG., B.SC., LL.B. A. LEONARD GROVE MARTA TANDORI CHENG

SUITE 1800 2 BLOOR STREET EAST TORONTO, CANADA M4W 3J5

(418) 961-5000 (416) 961-5081 FAX

E-MAIL riches@patents-toronto.com

August 10, 2006

CONTINUING THE PRACTICE OF GEORGE H. RICHES AND ASSOCIATES ESTABLISHED 1887

Mail Stop Amendment – NO FEE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sent By Facsimile Only Central Facsimile No.:1-571-273-8300 Pages Sent - 3 -LA5

U.S.A.

RECEIVED **CENTRAL FAX CENTER**

Attn: Examiner: Michael A. Lyons Examination Group Art Unit: 2877

AUG 1 0 2006

Owner: FAILES, Michael Patent Application in U.S.A.

Serial No.

: 10/796320

Filing Date: March 10, 2004

Our Case

: P1004

Title

: Fiber Optic Scanning Interferometer Using

a Polarization Splitting Coupler

OFFICE ACTION MAILING DATE: FEBRUARY 23, 2006

Dear Sirs:

Submitted herewith please find letter to Examiner Lyons dated August 1, 2006. comprising 2 pages.

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademarks Office at facsimile number (571) 273-8300 on July 27, 2006.

Paul Herbert

Reg. No. 27,278

PH/las Encl.

RICHES, MCKENZIE & HERBERT LLP

BARRISTERS & SOLICITORS *
PATENT & TRADE MARK AGENTS
PAUL HERBERT, R PH, B. SC., PHM., LL.B.*
BRANT LATHAM, B.A.SC. (CHEM.ENG.), LL.B. P.ENG.*
DAN HITCHCOCK, B.ENG., LL.B., P.ENG.*
GARY M. TRAVIS, B.SC. (GEOL.), LL.B.*
JEFF PERVANAB, B.A.SC. (ENG.SCI.), LL.B.*
JASON LEUNG, B.SC. (GENETICS), J.D.*
CHRISTOPHER B. WATSON, B.A.SC. (CIVIL ENG.), LL.B.*
MICHAEL ADAMS, B.ENG.,B.SC.,LL.B.*
A. LEONARD GROVE
MARTA TANDORI CHEMG

SUITE 1800
2 BLOOR STREET EAST
TOPONTO, CANADA

TORONTO, CANADA

M4W 3J5

August 10, 2006

TELEPHONE

FAX

(416) 961-5000

(416) 961-5081

E-MAIL riches@patents-toronto.com

CONTINUING THE PRACTICE OF GEORGE H. RICHES AND ASSOCIATES ESTABLISHED 1887

Mail Stop Amendment – NO FEE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 U.S.A.

Sent By Facsimile Only
Central Facsimile No.:1-571-273-8300

Filing Date: March 10, 2004

RECEIVED
CENTRAL FAX CENTER

AUG 1 0 2006

Attn: Examiner: Michael A. Lyons

Examination Group Art Unit: 2877

Re: Owner: FAILES, Michael

Patent Application in U.S.A.

Serial No. Our Case : 10/796320

: P1004

Title

: Fiber Optic Scanning Interferometer Using

a Polarization Splitting Coupler

Dear Examiner Lyons:

Further to our telephone conference of August 9, 2006, we confirm that you will amend claim 11 as per an examiner's amendment to read as follows:

- 11. A scanning interferometer comprising:
 - a light source comprising a super luminescent diode or an edge emitting light emitting diode;
 - ii. a fiber optic assembly comprising:
 - a. polarization maintaining fiber having P and S modes;
 - b. splitting means for splitting the P and S modes of said fiber wherein said S mode propagates in one arm in one polarization axis and said P mode propagates in the other arm in the other polarization axis.

RICHES, MCKENZIE & HERBERT LLP

-2-

- an optical path length modulator comprising a piezo-electric actuator
 and a fiber stretching device having a low polarization mode
 dispersion;
- d. a reference mirror;
- e. an analyzer; and
- f. a detector.

Allowance is solicited.

Respectfully submitted,

FAILES/Michael

By:

PH/las

Paul Herbert Reg. No. 27,278